

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

SCHIEDER et al


Atty. Ref.: 2789-36

Serial No. 09/809,071

Group: 2661

Filed: March 16, 2001

Examiner: unknown

For  SUBSCRIBER TERMINAL, NETWORK CONTROLLER  
AND COMMUNICATION SYSTEM FOR PERFORMING  
PACKET DATA TRANSFER WITH REDUCED DELAY

\* \* \* \* \*

Assistant Commissioner for Patents  
Washington, DC 20231

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APR 02 2003

Technology Center 2600

Sir:

**TRANSMITTAL OF  
PETITION UNDER 37 CFR 1.48 FOR  
CORRECTION OF INVENTORSHIP**

Honorable Commission of Patents and Trademarks  
Washington, DC 20231

Sir:

Transmitted herewith in connection with the captioned application are the  
following:

1. Petition under 37 C.F.R. §1.48 for Change of Inventorship (to add Michael MEYER as joint inventor).
2. Statement of Person Being Added As Inventors (per 37 CFR §1.48(a)(1))
3. Declaration Under 37 CFR §1.63 [for Michael MEYER being added as inventor (per 37 CFR §1.48(a)(2))].
4. Consent of Assignee **Telefonaktiebolaget LM Ericsson (publ)**, per 37 CFR §1.48(a)(4), with copy attached thereto of existing

assignment from the three original inventors.

5. Copy of Assignment. NOTE: The assignment is being submitted under separate cover for recordation.

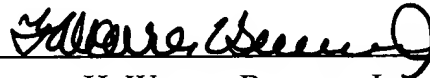
A check is enclosed for the Petition Fee required by 37 CFR §1.48(3) in the amount specified by CFR §1.17(i). If this amount is inadequate, or if additional charges are deemed necessary, the Commissioner is authorized to charge the undersigned's deposit account No. 14-1140 in whatever amount is necessary for entry of the Petition and the continued pendency of the captioned application. A duplicate copy of this Letter is attached for this purpose.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

March 26, 2003

By: \_\_\_\_\_



H. Warren Burnam, Jr.

Reg. No. 29,366

HWB:lsh  
1100 North Glebe Road, 8th Floor  
Arlington, VA 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100

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Assistant Commissioner for Patents  
Washington, DC 20231

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Sir:

**PETITION UNDER 37 CFR 1.48 FOR  
CORRECTION OF INVENTORSHIP**

Honorable Commission of Patents and Trademarks  
Washington, DC 20231

Sir:

You are respectfully petitioned to correct inventorship of the captioned application in accordance with the provisions of 37 CFR §1.48. Through error without any deceptive intent, the captioned application failed to list Michael MEYER as joint a inventor along with the other three inventors. Hence, this Petition seeks to add Michael MEYER as a joint inventor.

**STATEMENT OF FACTS**

In the original listing of inventors, Michael MEYER as a joint inventor was inadvertently overlooked. As evidenced by the attached Statement of Persons Being Added As Inventor (submitted in accordance with 37 CFR §1.48(a)(1)), the inadvertent error of not naming Michael MEYER occurred without any deceptive intention.

Accompanying this Petition are the documents specified on the Transmittal Letter. The fee of 37 CFR §1.48(a)(3) in the amount specified by 37 CFR §1.17(i) is paid

SCHIEDER et al  
Serial No. 09/809,071

by an accompanying check, with provision made to charge the undersigned's deposit account 14-1140 should there be any deficiency.

RELIEF REQUESTED

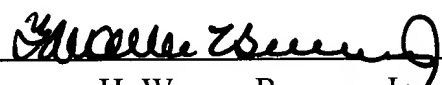
It is respectfully requested that the Commissioner act favorably on this Petition, and that Michael MEYER be added as a joint inventor.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

March 26, 2003

By: \_\_\_\_\_

  
H. Warren Burnam, Jr.  
Reg. No. 29,366

HWB:lsh  
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Arlington, VA 22201-4714  
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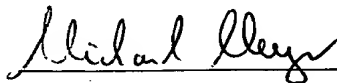
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\* \* \* \* \*

**STATEMENT OF PERSON BEING ADDED AS  
INVENTOR (PER 37 CFR 1.48(a)(1))**

I, Michael MEYER, having an addresses of Grossheidstrasse 27, D-52080 Aachen, Germany, have read and agree with the PETITION UNDER 37 CFR §1.48 FOR CORRECTION OF INVENTORSHIP which seeks to add me as an inventor for the captioned application. I also state that the error of not including me as a joint inventor arose without deceptive intention on my part.

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Michael MEYER

13.2.2003

Date



RULE 63 (37 C.F.R. 1.63)  
**INVENTORS DECLARATION FOR PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

As a below named inventor, I hereby declare that my residence, mailing address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SUBSCRIBER TERMINAL, NETWORK CONTROLLER AND COMMUNICATION SYSTEM FOR PERFORMING PACKET DATA TRANSFER WITH REDUCED DELAY

the specification of which (check applicable box(s)):

☐ is attached hereto

☒ was filed on March 16, 2001 as U.S. Application Serial No. 09/800,071

(Atty. Dkt. No. 2789-36)

☐ was filed as PCT International application No.

on

and (if applicable to U.S. or PCT application) was amended on

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I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, and amendments, if any, amendment referred to above. I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Priority Foreign Application(s):

Application Number  
00106925.1

Country  
EP

Day/Month/Year Filed  
31 March 2001

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

Application Number

Date/Month/Year Filed

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed above or below:

Prior U.S./PCT Application(s):

Application Serial No.

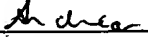

Day/Month/Year Filed

Status: patented  
pending, abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And on behalf of the owner(s) hereof, I hereby appoint Nixon &

Vanderhye P.C., telephone number 703-816-4000 (to whom all communications are to be directed) and the attorneys of: **Customer**

**Number 23117**, individually and collectively owner's/owners' attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent. I also authorize Nixon & Vanderhye to add or delete attorneys from that Customer Number, and to act and rely solely on instructions directly communicated from the person, assignee, attorney, firm, or other organization sending instructions to Nixon & Vanderhye on behalf of the owner(s).

1.	Inventor's Signature: 	Date: 19.2.03
	Inventor: Andreas (first) SCHIEDER (last) German (citizenship)	
	Residence (city): Herzogenrath (state/country): MI Germany	
	Mailing Address: Nordstrasse 123, Herzogenrath, Germany	
	(Zip Code): D-52134	
2.	Inventor's Signature: 	Date: 25.2.03
	Inventor: Tobias (first) LEYS (last) German (citizenship)	
	Residence (city): Aachen (state/country): MI Germany	
	Mailing Address: Republikplatz 17, Aachen, Germany	
	(Zip Code): D-52072	

[X] See attached sheet(s) for additional inventor(s) information!!

3. Inventor's Signature: Uwe Horn Date: 19.2.2003  
Inventor: Uwe HORN  
(first) MI (last)  
Residence: (city) Aachen (state/country) Germany  
Mailing Address: Frankenberger Strasse 10, Aachen, Germany  
(Zip Code) D-52066
4. Inventor's Signature: Michael MEYER Date: 19.2.2003  
Inventor: Michael MEYER  
(first) MI (last)  
Residence: (city) Aachen (state/country) Germany  
Mailing Address: Grossheidstrasse 27, Aachen, Germany  
(Zip Code) D-52080
5. Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Inventor: \_\_\_\_\_  
(first) MI (last) (citizenship)  
Residence: (city) \_\_\_\_\_ (state/country) \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
(Zip Code) \_\_\_\_\_
6. Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Inventor: \_\_\_\_\_  
(first) MI (last) (citizenship)  
Residence: (city) \_\_\_\_\_ (state/country) \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
(Zip Code) \_\_\_\_\_

FOR ADDITIONAL INVENTORS, check box ☐ and attach sheet with same information and signature and date for each.

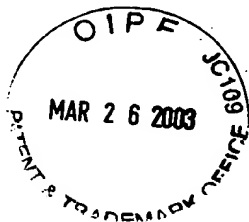
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Washington, DC 20231

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**CONSENT OF ASSIGNEE  
IN SUPPORT OF PETITION UNDER 37 CFR 1.48  
FOR CORRECTION OF INVENTORSHIP**

The Assignee, **Telefonaktiebolaget LM Ericsson (publ)**, having an address of S-126 25, Stockholm, Sweden, consents to the PETITION UNDER 37 CFR §1.48 FOR CORRECTION OF INVENTORSHIP for adding Michael MEYER as a joint inventor. Your petitioner, represents that it holds all right, title and interest in and to the captioned application as evidenced by the copy of the assignment document attached hereto and already submitted for recordation. The evidentiary documents accompanying this document or referred to above have been reviewed by the undersigned and it is certified that to the best of the assignee's knowledge and belief, title is in the assignee seeking to take action.

Respectfully submitted,

**Telefonaktiebolaget LM Ericsson (publ)**

Name of Signer (Typed): Gabriele Mohsler

Title of Signer (Typed): IPR Manager

18/2/2003 (Date)



Attorney Docket: \_\_\_\_\_

ASSIGNMENT

WHEREAS, Andreas Schieder, Nordstrasse 123, D-52134  
Herzogenrath, Tobias Ley, Republikplatz 17, D-52072 Aachen and  
Uwe Horn, Frankenberger Strasse 10, D-52066 Aachen  
(hereinafter ASSIGNORS) \_\_\_\_\_

respectively, have invented a certain improvement in \_\_\_\_\_  
Subscriber terminal, network controller  
and communication system for performing packet data transfer  
with reduced delay

for which a so-entitled application for Letters Patent of the United States was filed in the United States Patent and Trademark Office;

WHEREAS, Telefonaktiebolaget L M Ericsson (publ)  
(hereinafter ASSIGNEE), a corporation of the Country of Sweden,  
having an office and place of business at S-126 25 Stockholm, Sweden

is desirous of acquiring an interest therein;

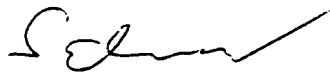
NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the ASSIGNORS by these presents hereby sell, assign, and transfer unto the ASSIGNEE, its successors, assigns, and legal representatives, the aforesaid application(s) and the full and exclusive right to the invention and improvements therein in the United States and all foreign countries, as described in the aforesaid application, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any Letters Patent or Patents claiming priority or resulting from the aforesaid application to ASSIGNEE, for its interest as ASSIGNEE, for the sole use and behoof of ASSIGNEE, its successors, assigns, and legal representatives.

ASSIGNORS hereby agree to assist in the preparation of and hereby assign a like interest to said ASSIGNEE, its successors, assigns, and legal representatives, without further remuneration, any continuation, divisional, reissue, or foreign application claiming priority from the aforesaid application or otherwise growing out of or related to the invention; and to execute any papers by ASSIGNEE, its successors, assigns, and legal representatives necessary to ASSIGNEE's full protection and title in and to the invention hereby transferred.

ASSIGNORS specifically agree, upon request of ASSIGNEE, and without further remuneration, to execute any and all papers desired by ASSIGNEE for the filing and granting of foreign applications and the perfecting of title thereto in ASSIGNEE.

AGREED and executed as noted below:

15102101  
Date

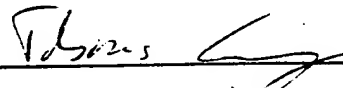
  
(Andreas Schieder)

Witnessed by:

M. Merte  
Name: M. Mertens

15102101  
Date:

16.02.01  
Date

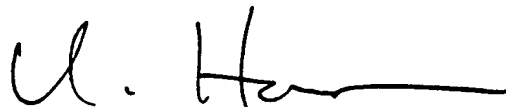
  
(Tobias Ley)

Witnessed by:

M. Merte  
Name: M. Mertens

16.2.01  
Date:

15102101  
Date

  
(Uwe Horn)

Witnessed by:

M. Merte  
Name: M. Mertens

15102101  
Date:

**ASSIGNMENT**

WHEREAS, Michael MEYER(hereinafter ASSIGNOR) of Grossheidstrasse 27, Aachen, Germany D-52080, has invented a certain improvement in **SUBSCRIBER TERMINAL, NETWORK CONTROLLER AND COMMUNICATION SYSTEM FOR PERFORMING PACKET DATA TRANSFER WITH REDUCED DELAY** for which a so-entitled application for Letters Patent of the United States was filed in the United States Patent and Trademark Office March 16, 2001 and afforded Serial No. 09/809,071;

WHEREAS, **Telefonaktiebolaget LM Ericsson (publ)** (hereinafter ASSIGNEE), a corporation of the Country of Sweden, having an office and place of business at S-126 25, Stockholm, Sweden, is desirous of acquiring an interest therein;

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the ASSIGNOR by these presents hereby sells, assigns, and transfers unto the ASSIGNEE, its successors, assigns, and legal representatives, the aforesaid application(s) and the full and exclusive right to the invention and improvements therein in the United States and all foreign countries, as described in the aforesaid application, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any Letters Patent or Patents claiming priority or resulting from the aforesaid application to ASSIGNEE, for its interest as ASSIGNEE, for the sole use and behoof of ASSIGNEE, its successors, assigns, and legal representatives. It is understood and agreed that ASSIGNEE'S attorneys Nixon & Vanderhye P.C. have represented only ASSIGNEE and will continue to represent only ASSIGNEE with respect to this invention;

ASSIGNOR hereby agrees to assist in the preparation of and hereby assign a like interest to said ASSIGNEE, its successors, assigns, and legal representatives, without further remuneration, any continuation, divisional, reissue, or foreign application claiming priority from the aforesaid application or otherwise growing out of or related to the invention; and to execute any papers by ASSIGNEE, its successors, assigns, and legal representatives necessary to ASSIGNEE's full protection and title in and to the invention hereby transferred.

ASSIGNOR specifically agrees, upon request of ASSIGNEE, and without further remuneration, to execute any and all papers desired by ASSIGNEE for the filing and

granting of foreign applications and the perfecting of title thereto in ASSIGNEE.

AGREED and executed as noted below:

19.2.2003

Date

Witnessed by:

19.2.2003

Name:

Michael Meyer

Michael MEYER

Thalia Deli

Date: